

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

HERB REED ENTERPRISES, INC., et al.,

Plaintiff(s),

VS.

MONROE POWELL'S PLATTERS, LLC, et al.,

Defendant(s).

Case No. 2:11-cv-02010-PMP-NJK

## ORDER GRANTING MOTIONS TO SEAL

(Docket Nos. 111, 124)

Pending before the Court are two motions to seal. Docket Nos. 111 and 124. Those motions raise essentially identical issues. Although Defendants were ordered to file a response to the first motion to seal, *see* Docket No. 113 (“Defendants *shall* file a Response” (emphasis added)), no response has been filed in opposition to either motion. For the reasons discussed below, the motions are hereby GRANTED.

The Ninth Circuit has held that there is a strong presumption of public access to judicial records. See *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). A party seeking to file documents under seal bears the burden of overcoming that presumption. *Pintos v. Pac. Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010) (quoting *Kamakana*, 447 F.3d at 1178). To maintain the secrecy of documents attached to non-dispositive motions, the movant must make a particularized showing of “good cause.” *Kamakana*, 447 F.3d at 1180.

Plaintiffs' motions seek to seal billing records containing their hourly rates. Plaintiffs'

1 counsel asserts that their billing rates are not generally available to the public and are competitively  
2 sensitive. Other Courts in this District have found that this constitutes good cause to seal billing  
3 records filed in support of a motion for attorneys' fees. *See Mine O'Mine, Inc. v. Calmese*, 2012  
4 U.S. Dist. Lexis 53077, \*10 (D. Nev. Apr. 16, 2012). Accordingly, the Court finds good cause to  
5 seal the exhibits at issue here.

6 For the reasons stated above, Plaintiffs' motions to seal are GRANTED.

7 IT IS SO ORDERED.

8 DATED: July 11, 2013

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NANCY J. KOPRE  
United States Magistrate Judge  
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